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Magistrate James P. Donohue

OCT 16 2014

AT SEATTLE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

MATT NICKA, and
GRETCHEN PETERSON,

Defendants.

NO. MJ14-410

MOTION FOR DETENTION ORDER

The United States moves for pretrial detention of the Defendant, pursuant to
18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this
case involves (check all that apply):

____ Crime of violence (18 U.S.C. § 3156)

____ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum
sentence of ten years or more

____ Crime with a maximum sentence of life imprisonment or death

XX Drug offense with a maximum sentence of ten years or more

____ Felony offense and defendant has two prior convictions in the four
categories above, or two State convictions that would otherwise fall within these four
categories if federal jurisdiction had existed.

Detention Motion - 1

United States v. Matt Nicka and Gretchen Peterson

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 ☐ Felony offense involving a minor victim other than a crime of violence
 2 ☐ Felony offense, other than a crime of violence, involving possession or use
 3 of a firearm, destructive device (as those terms are defined in 18 U.S.C. § 921), or any
 4 other dangerous weapon

5 ☐ Felony offense other than a crime of violence that involves a failure to
 6 register as a Sex Offender (18 U.S.C. § 2250)

7 ☒ Serious risk the defendant will flee

8 ☐ Serious risk of obstruction of justice, including intimidation of a
 9 prospective witness or juror

10 2. Reason for Detention. The Court should detain defendant because there are
 11 no conditions of release which will reasonably assure (check one or both):

12 ☒ Defendant's appearance as required

13 ☒ Safety of any other person and the community

14 3. Rebuttable Presumption. The United States will invoke the rebuttable
 15 presumption against defendant under § 3142(e). The presumption applies because:

16 ☐ Probable cause to believe defendant committed offense within five years of
 17 release following conviction for a "qualifying offense" committed while on pretrial
 18 release.

19 ☒ Probable cause to believe the defendants committed drug offense with a
 20 maximum sentence of ten years or more

21 ☐ Probable cause to believe defendant committed a violation of one of the
 22 following offenses: 18 U.S.C. § 924(c), 956 (conspiracy to murder or kidnap), 2332b (act
 23 of terrorism), 2332b(g)(5)(B) (crime of terrorism)

24 ☐ Probable cause to believe defendant committed an offense involving a
 25 victim under the age of 18 under 18 U.S.C. § 1591, 2241, 2242, 2244(a)(1), 2245, 2251,
 26 2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421,
 2422, 2423 or 2425.

1 4. Time for Detention Hearing. The United States requests the Court conduct
2 the detention hearing:

3 XX At the initial appearance

4 ____ After continuance of ____ days (not more than 3)

5 5. Other matters.

6 DATED this 16th day of October, 2014

7 Respectfully submitted,

8 ANNETTE .L. HAYES
9 Acting United States Attorney

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12 MICHAEL DION
13 Assistant United States Attorney
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